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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	Case No.: 2:18-CR-00010-RFB-CWH
)	
Plaintiff,)	MOTION TO AUTHORIZE
)	PAYMENT FROM THE LAS VEGAS
v.)	METROPOLITAN POLICE
)	DEPARTMENT
ANOY LOPEZ-BLES,)	
)	
Defendant.)	

The United States of America, by and through its attorney, JASON M. FRIERSON, United States Attorney for the District of Nevada, Summer A. Johnson, Assistant United States Attorney, pursuant to 18 U.S.C. §§ 3613(a), requests this Court to enter an Order authorizing the Las Vegas Metropolitan Police Department to turnover to the Clerk of Court funds held as evidence in the amount of \$840.00 for the above named defendant as payment towards the criminal monetary penalties imposed in this case. In support of this motion, the government states the following:

1. On November 15, 2018, Anoy Lopez-Bles ("Mr. Lopez-Bles") was sentenced to 24 months imprisonment and 3 years of supervised release. ECF No. 49. The Court also ordered Mr. Lopez-Bles to pay a \$100 mandatory special assessment and restitution in the amount of \$5,200 ("criminal monetary penalties"). *Id.* at 7.

1 2. The current total outstanding amount owed on the criminal monetary
2 penalties is \$5,275.00.

3 3. The United States Attorney's Office for this district was recently informed
4 that funds seized as evidence in this matter are maintained by the Las Vegas Metropolitan
5 Police Department ("LVMPD") in its valuable evidence locker. By this motion, the United
6 States seeks entry of an order authorizing the LVMPD to turnover \$840.00 to the Clerk of
7 Court as payment towards the defendant's outstanding criminal monetary penalties.

8 4. Title 18 United States Code Section 3613 sets forth the procedures for the
9 United States to enforce criminal monetary penalties, including restitution and criminal
10 fines. *See* 18 U.S.C. §§ 3613(a), 3613(f) (government enforces restitution in the same
11 manner as a fine). In particular, the statute provides that a sentence imposing restitution
12 constitutes a lien in favor of the government against all of the defendant's property and
13 rights to property. 18 U.S.C. § 3613(c). *See also* 18 U.S.C. §§ 3613(a) (government enforces
14 restitution against all property and rights to property of the defendant), 3664(m)
15 (government may use all available and reasonable means to collect restitution). Further, the
16 government's lien and defendant's obligation to pay restitution lasts for twenty years (20)
17 from the date of release from incarceration. *See* 18 U.S.C. § 3613(b). Also, pursuant to the
18 Crime Victim Rights Act, the victims of the defendant's crime are entitled to full and timely
19 restitution as provided by law. *See* 18 U.S.C. § 3771(a)(6).

20 5. Furthermore, because the property is cash, it does not fall within any
21 applicable categories of the exempt property that a defendant may claim in a criminal case.
22 *See* 18 U.S.C. § 3613(a)(1) (setting forth the applicable IRS property exemptions for
23 criminal cases). For criminal debts such as restitution, federal law provides that the only
24 categories of exempt property are: (1) wearing apparel and school books; (2) fuel,
25 provisions, furniture, and personal effects; (3) books and tools of a trade, business, or
26 profession; (4) unemployment benefits; (5) undelivered mail; (6) annuity or pension
27 payments under certain, specified federal statutes; (7) workmen's compensation; (8)
28 judgments for support of minor children; (9) certain service-connected disability payments;

1 and (10) assistance under the Job Training Partnership Act. 18 U.S.C. § 3613(a)(1)
2 (incorporating § 6334(a) of the Internal Revenue Code, Title 26).

3 6. The United States is not aware of any other party who may claim an interest
4 in this property.

5 7. Accordingly, the United States requests that the Court grant the motion and
6 order that the LVMPD turn over the funds to the Clerk of Court to be applied towards the
7 defendant's restitution obligation.

8 WHEREFORE, for the reasons stated above, the United States requests that this
9 Court grant its motion.

10 Respectfully submitted this 29th of June, 2023.

11 JASON M. FRIERSON
12 United States Attorney

13
14 /s/ Summer A. Johnson
15 SUMMER A. JOHNSON
16 Assistant United States Attorney
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CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2023, I served all of the parties in this case the United States' Motion To Authorize Payment From the Las Vegas Metropolitan Police Department by CM/ECF and by first class mail, postage prepaid, as follows:

Defendant:

Anoy Lopez-Bles
895 Sierra Vista Dr Apt 327
Las Vegas, NV 89169-9331

Interested Party:

Las Vegas Metropolitan Police Department
Attn: Mary Humphrey
400 S. Martin L. King Blvd.
Las Vegas, NV 89106

/s/ Summer A. Johnson

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANOY LOPEZ-BLES,

Defendant.

Case No.: 2:18-CR-00010-RFB-CWH

**ORDER AUTHORIZING PAYMENT
FROM THE LAS VEGAS
METROPOLITAN POLICE
DEPARTMENT**

This matter is before the Court on the motion of the United States to authorize payment from the the Las Vegas Metropolitan Police Department ("LVMPD") pursuant to 18 U.S.C. §§ 3613(a). The Court has reviewed the motion and finds that for good cause shown, the LVMPD shall turnover to the Clerk of Court funds held as evidence in the amount of \$840.00 for the above named defendant as payment towards the criminal monetary penalties imposed in this case.

Payment shall be made payable to: Clerk of the Court, U.S. District Court, and delivered to:

Clerk of the Court, U.S. District Court
333 Las Vegas Boulevard South, Suite 1334
Las Vegas, NV 89101

/ / /

/ / /

Payment shall reference Judgment Debtor's name and case number:

"Anoy Lopez-Bles / 2:18-CR-00010-RFB-CWH".

IT IS SO ORDERED:

Dated: August 23, 2023



UNITED STATES DISTRICT JUDGE